IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1691 OF 2006
IN
CIVIL APPLICATION NO.5786 OF 2005
IN
FIRST APPEAL NO.2327 OF 2005

The State of Maharashtra. ..Applicant.

V/s.

Smt.Tarabai N. Gaikwad(dead)
represented by L.Rs.
Shri Kishore N. Gaikwad @ Kaikadi & Ors...Respondents.

Mr.A.R.Patil, AGP for applicant.

CORAM: A.M.KHANWILKAR,J

DATE : JUNE 21, 2006.

P.C. :

1. Heard learned AGP.

2. I see no reason to depart from the view already recorded in order dated 15th February, 2006. The argument of the learned AGP that leniency may be shown by reducing the quantum of costs only deserves to be stated to be rejected. Once the panel counsel accepts the brief it is expected that he will prepare himself and will get ready with the brief so as to assist the court whenever the matter is called out. The panel advocate cannot be heard to say that he will accept the brief only to take adjournment.

Non-preparedness by the advocate especially government advocate cannot be countenanced; for, the adjournment not only results in waste of precious judicial working time but also loss of public exchequer. This is because government advocate inspite of adjournment of the matter will be entitled and perhaps would claim legal fees for his appearance, which fees, to say least, cannot be justified. Hence, this application is rejected. However, one week’s further time is granted to comply with the order dated 15th February, 2006, failing which the conditional order passed therein shall operate.